

Message Text

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ACTION ARA-14

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-01 INR-07
L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15
USIA-06 SAB-02 DHA-05 COME-00 EB-08 LAB-04 SIL-01
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R 142121Z SEP 77
FM AMEMBASSY PANAMA
TO SECSTATE WASHDC 3691
INFO PANCANAL
USCINCSO

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EO 11652: N/A
TAGS: PBOR, PINT, PN
SUBJECT: PLEBISCITE SET FOR OCTOBER 23, 1977

BEGIN UNCLASSIFIED. SUMMARY: AS ANNOUNCED BY GEN. TORRIJOS
OCTOBER 23, 1977. A PLEBISCITE LAW HAS BEEN APPROVED BY THE
NATIONAL LEGISLATIVE COMMISSION; IT APPEARS DESIGNED TO ENSURE
A FREE AND HONEST VOTE. END SUMMARY.

1. THE NATIONAL PLEBISCITE ON THE TREATY WILL, AS
ANNOUNCED BY GEN. TORRIJOS AT HIS HOMECOMING RALLY LAST FRIDAY,
BE HELD SUNDAY, OCTOBER 23. THE NATIONAL LEGISLATIVE COMM-
MISSION HAS PUBLISHED A PLEBISCITE LAW (LAW NUMBER 33 OF
SEPTEMBER 13, 1977; THE PLEBISCITE IS AUTHORIZED BY ARTICLE
274 OF THE 1972 CONSTITUTION.

2. THE FOLLOWING IS A SUMMARY OF THE LAW. (EMBASSY WILL POUCH
FULL TEXT TO ARA/PAN.)

3. ELIGIBILITY AND METHOD OF VOTING: ALL PANAMANIAN
CITIZENS OVER 18 YEARS OLD ARE ELIGIBLE TO VOTE. THE
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POLLS WILL BE OPEN ON OCTOBER 23 FROM 7:00 A.M. TO
7:00 P.M. EACH VOTER WILL PRESENT HIS "CEDULA"
(NATIONAL IDENTITY CARD) TO THE VOTING OFFICIAL WHO
WILL PERFORATE IT WITH A SPECIAL PUNCH AS PROOF ONE
HAS VOTED, AND THE VOTERS WILL ALSO BE GIVEN A RECEIPT.
THE VOTER WILL BE GIVEN AN EMPTY ENVELOPE. HE THEN
ENTERS THE VOTING BOOTH, SELECTS A "YES" BALLOT OR

"NO" BALLOT CARD AND PLACES THE SELECTED BALLOT CARD IN THE ENVELOPE, WHICH HE SEALS AND PLACES IN A SEALED BALLOT BOX. VOTING IS TO BE SECRET. AFTER VOTING, THE VOTER'S THUMB PRINT IS IMPRESSED NEXT TO HIS NAME ON THE FOLLS AND IS KEPT BY THE VOTING COMMITTEE SECRETARY.

4. BALLOTS: THERE WILL BE TWO BALLOTS OF DIFFERENT COLORS, ONE MARKED "YES", THE OTHER "NO", PLUS THE FOLLOWING WORDS: "I AM IN AGREEMENT WITH THE NEW PANAMA CANAL TREATY, THE TREATY DEALING WITH THE PERMANENT NEUTRALITY OF THE CANAL AND THE FUNCTIONING OF THE CANAL, THE RELATED ACCORDS AND ANNEXES SIGNED BETWEEN THE GOVERNMENTS OF PANAMA AND THE UNITED STATES OF AMERICA, WEDNESDAY, SEPTEMBER 7, 1977."

5. LOCAL VOTING COMMITTEES: EACH VOTING LOCATION WILL HAVE A THREE-PERSON VOTING COMMITTEE APPOINTED BY THE ELECTORAL TRIBUNAL. ONE, THE PRESIDENT, WILL BE CHOSEN BY THE ELECTORAL TRIBUNAL. THE SECOND WILL BE CHOSEN FROM A LIST OF PERSONS PREPARED BY COMMITTEES IN THE VARIOUS COMMUNITIES. THE THIRD WILL BE CHOSEN FROM AMONG TEACHERS, STUDENTS, LABOR UNION MEMBERS, BUSINESSMEN, PROFESSIONALS, FARMERS, AND CIVIC, CULTURAL, AND RELIGIOUS LEADERS. A VOTING SECRETARY WILL BE CHOSEN FROM AMONG THE THREE MEMBERS.

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6. COUNTING BALLOTS: WHEN THE POLLS CLOSE THE VOTING COMMITTEE WILL COUNT THE NUMBER OF NAMES ON THE REGISTER OF PERSONS WHO VOTED. THEN THE SEALED BALLOT BOX WILL BE OPENED PUBLICLY BY THE VOTING COMMITTEE AND THE ENVELOPES COUNTED. THE NUMBER OF ENVELOPES MUST EQUAL THE NUMBER OF NAMES OF VOTERS. EXCESS ENVELOPES WILL BE BURNED UNOPENED. THE ENVELOPES ARE THEN OPENED AND THE NUMBER OF YES AND NO VOTES COUNTED BY THE VOTING COMMITTEE. WHEN FINISHED COUNTING, THE COMMITTEE MEMBERS SIGN A CERTIFICATE WHICH HAS WRITTEN ON IT THE NUMBER OF "YES" VOTES, THE NUMBER OF "NO" VOTES AND THE NUMBER OF VOIDED BALLOTS (ENVELOPES CONTAINING BOTH A "YES" AND A "NO" BALLOT AND -- EMBASSY PRESUMES THOUGH IT ISN'T STATED IN THE LAW -- ENVELOPES CONTAINING NO BALLOTS AT ALL). THE PRESIDENT OF THE VOTING COMMITTEE THEN COMMUNICATES THE TALLY OF VOTES AS SOON AS POSSIBLE TO THE ELECTORAL TRIBUNAL.

7. SECOND COUNTING OF BALLOTS: IN EACH VOTING DISTRICT A DISTRICT VOTING COMMITTEE COMPOSED OF FIVE CITIZENS WILL RECEIVE THE BALLOTS AND VOTE TALLY CERTIFICATES

FROM THE VARIOUS POLLING PLACES IN ITS DISTRICT. THE
BALLOTS ARE AGAIN PUBLICLY COUNTED BY THIS DISTRICT
VOTING COMMITTEE, WHICH ISSUES A SECOND CERTIFICATE
ANNOUNCING THE RESULT OF ITS COUNT.

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8. PROVINCIAL VOTING COMMITTEES: IN EACH PROVINCE AND
IN THE INTENDANCY OF SAN BLAS A THREE-PERSON PROVINCIAL
VOTING COMMITTEE WILL RECEIVE ALL VOTING MATERIALS,
BALLOTS AND CERTIFICATES FROM THE DISTRICT COMMITTEES.
THE PROVINCIAL COMMITTEES WILL SCRUTINIZE THE TALLY
CERTIFICATES OF THE LOCAL COMMITTEES AND THE DISTRICT
COMMITTEES AND REPORT THEIR FINDINGS TO THE ELECTORAL
TRIBUNAL. THE PROVINCIAL COMMITTEES THEN SEND ALL BALLOTS
AND TALLY CERTIFICATES TO THE ELECTORAL TRIBUNAL.

9. ANNOUNCING THE RESULTS: AFTER THE ELECTORAL TRIBUNAL
HAS RECEIVED ALL VOTING MATERIAL AND HAS EXAMINED THE
TALLY CERTIFICATES, IT HAS THREE DAYS TO ANNOUNCE THE
RESULTS OF THE VOTE. THE TRIBUNAL DOES THIS BY SENDING
A WRITTEN REPORT TO PRESIDENT LAKAS.

10. PENALTIES FOR VIOLATION OF THE VOTING LAW: PERSONS
WHO VOTE MORE THAN ONCE, OR WHO PERFORM ACTS WHICH IMPEDE
AN OPEN AND HONEST PLEBISCITE, OR WHO FALSIFY THE
VOTING RESULTS WILL BE FINED FROM \$10 TO \$1,000 OR JAILED
FROM ONE MONTH TO A YEAR, DEPENDING ON THE GRAVITY
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OF THE OFFENSE. PRESIDENTS OF VOTING COMMITTEES ARE AUTHORIZED TO EXACT FINES OF \$25 AND/OR TO SENTENCE TO JAIL FOR UP TO THREE DAYS A PERSON WHO DISOBEYS OR SHOWS DISRESPECT TO VOTING OFFICIALS.

11. DRY DAY: THE SALE OF ALCOHOLIC BEVERAGES WILL BE PROHIBITED FROM 12:00 A.M. ON VOTING DAY UNTIL 8:00 P.M. END UNCLASSIFIED.

12. BEGIN LIMITED OFFICIAL USE. COMMENT: THE NEW LAW APPEARS DESIGNED TO ASSURE AN HONEST PLEBISCITE. THIS IT WILL PROBABLY BE; THERE ARE FEW SIGNIFICANT SIGNS OF SENTIMENT FOR A "NO" VOTE WHICH MIGHT TEMPT SOMEONE TO FIX THE RESULTS.

13. THE GOP WANTS A LARGE TURNOUT TO ENDORSE ITS TREATY. ALTHOUGH THERE ARE NO PENALTIES FOR NOT VOTING (AS THERE WERE IN AN EARLIER DRAFT OF THE PLEBISCITE LAW WHICH EMBASSY SAW, PANAMA 6468), THERE WILL BE HEAVY PRESSURE FOR EVERYONE TO VOTE AS THERE WAS IN 1972, WHEN 89 PERCENT OF ELIGIBLE VOTERS APPROVED THE PRESENT CONSTITUTION. END LIMITED OFFICIAL USE.

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